

API 2182

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Charles G. Williamson DOCKET NO.: 09741620-0204
SERIAL NO.: 10/003,041 GROUP ART UNIT: 2182
DATE FILED: November 1, 2001 EXAMINER: Tammara R. Peyton
TITLE: "REMOTE UPDATING OF INTELLIGENT HOUSEHOLD APPLIANCES"

TRANSMITTAL LETTER

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAY 27 2004

Technology Center 2100

Dear Sir:

Enclosed herewith is a Request for Reimbursement of Charles G. Williamson
in the above-identified patent application entitled REMOTE UPDATING OF
INTELLIGENT HOUSEHOLD APPLIANCES.

Also enclosed are: Transaction Details of AMEX credit card Statement
(1 page)
Copy of Response to August 25, 2003 Office Action and
attachments filed 2/25/04
Return Receipt Postcard

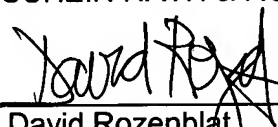
The Commissioner is hereby authorized to charge any additional fees
required, as well as any patent application processing fees associated with this
communication for which full payment has not been tendered, to Deposit Account
No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

SONNENSCHN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station
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Chicago, Illinois 60606-1080
Telephone: (312) 876-8000

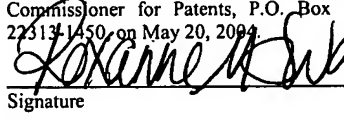
By:

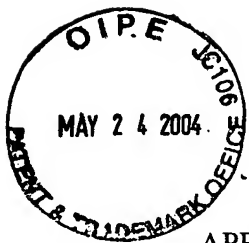

David Rozenblat
Registration No. 47,044

I hereby certify that this document and any being referred to as
attached or enclosed is being deposited with the United States
Postal Service as First Class Mail in an envelope addressed to
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450, on May 20, 2004.

Signature

Date

 5/20/04



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REQUEST FOR REIMBURSEMENT

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAY 27 2004

Technology Center 2100

S I R:

Applicant hereby requests reimbursement, in the amount of \$1,208.00 (Three (3) Month Extension of Time and additional claims fees), to AMEX credit card account number 3785-716974-01002 of the above-referenced application, as a credit card payment form was provided and also charged in the amount of \$1,208.00. Therefore, Applicant was charged, in duplicate, totaling the amount of \$2,416.00.

Applicant enclose a copy of the Transaction Details of the AMEX credit card Statement showing both charges. Applicant also encloses a copy of the Response to August 25, 2003 and attachments filed on February 25, 2004.


Applicant awaits the AMEX credit card being replenished. However, the Commissioner is authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed for that purpose.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

May 20, 2004

By:


David Rozenblat
Reg. No. 47,044

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Signature

Date

5/20/04

Activity Continued

			Reference Code	Amount \$
03/03/04	US PATENT TRADEMARK 703-305-4631 10786259 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000007434	VA 03/01/04	00010786259	770.00
03/03/04	US PATENT TRADEMARK 703-305-4631 10786259 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000007436	VA 03/01/04	00010786259	40.00
03/03/04	US PATENT TRADEMARK 703-305-4631 29153460 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000007703	VA 03/02/04	00029153460	120.00
03/03/04	US PATENT TRADEMARK 703-305-4631 10787046 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000008036	VA 03/02/04	00010787046	770.00
03/03/04	US PATENT TRADEMARK 703-305-4631 10673004 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000008231	VA 03/02/04	00010673004	40.00
03/04/04	US PATENT TRADEMARK 703-305-4631 10787482 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000009277	VA 03/03/04	00010787482	770.00
03/04/04	US PATENT TRADEMARK 703-305-4631 78377659 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000009885	VA 03/03/04	00078377659	670.00
03/04/04	US PATENT TRADEMARK 703-305-4631 10673004 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000000048	VA 03/03/04	00010673004	130.00
03/05/04	US PATENT TRADEMARK 703-305-4631 78377899 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000000290	VA 03/03/04	00078377899	670.00
03/05/04	US PATENT TRADEMARK 703-305-4631 78377920 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000000341	VA 03/03/04	00078377920	1,005.00
03/05/04	US PATENT TRADEMARK 703-305-4631 09957422 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000000568	VA 03/03/04	00009957422	110.00
03/05/04	US PATENT TRADEMARK 703-305-4631 10003041 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000000679	VA 03/03/04	00010003041	1,208.00
03/05/04	US PATENT TRADEMARK 703-305-4631 10131693 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000000817	VA 03/03/04	00010131693	110.00
03/05/04	US PATENT TRADEMARK 703-305-4631 PCT/US03/ GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000000998	VA 03/04/04		748.00
03/05/04	US PATENT TRADEMARK 703-305-4631 09980888 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000001005	VA 03/04/04	00009980888	950.00
03/05/04	US PATENT TRADEMARK 703-305-4631 09928682 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000001006	VA 03/04/04	00009928682	1,190.00
03/05/04	US PATENT TRADEMARK 703-305-4631 10003041 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 0000001435	VA 03/04/04	00010003041	1,208.00



COPY


TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/003,041
	Filing Date	November 1, 2001
	First Named Inventor	Charles G. Williamson
	Group Art Unit	2182
	Examiner Name	Tammara R. Peton
	Attorney Docket Number	09741620-0204
Total Number of Pages in This Submission		

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ENCLOSURES (check all that apply)							MAY 27 2004
<input checked="" type="checkbox"/> Transmitted herewith is Response to August 25, 2003 Office Action.							Technology Center 2100
<input checked="" type="checkbox"/> The fee has been calculated as shown below:							
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE	
TOTAL CLAIMS	19	-	20	0	<input type="checkbox"/> x \$9.00 <input type="checkbox"/> x \$18.00	\$0	
INDEPENDENT CLAIMS	6	-	3	3	<input type="checkbox"/> x \$42.00 <input checked="" type="checkbox"/> x \$86.00	\$258.00	
APPLICATION AMENDED TO CONTAIN ANY MULTIPLE DEPENDENT CLAIMS NOT PREVIOUSLY PAID FOR.				<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> x \$140.00 <input type="checkbox"/> x \$280.00 ONE TIME	\$0	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$258.00		
<input checked="" type="checkbox"/> Applicant petitions the Commissioner for Patents to extend the time for responding to the Office Action dated <u>August 25, 2003</u> by <u>3</u> month(s) for a fee of <u>\$950.00</u> so that the period for response is extended to <u>February 25, 2004</u> under 37 C.F.R. § 1.321.							
<input type="checkbox"/> The amount of \$_____ for the Terminal Disclaimer under 37 C.F.R. § 1.321 is included in the enclosed check.							
<input type="checkbox"/> The amount of \$_____ for the Amendment under 37 C.F.R. § 1.312(b) is included in the enclosed check.							
<input checked="" type="checkbox"/> The enclosed credit card payment form to charge the amount of <u>\$1208.00</u> covers the extension fee and additional claims fee.							
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to Account No. 19-3140. A duplicate of this sheet is enclosed.							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
14. <input checked="" type="checkbox"/> Customer No. 26263							
Dated: <u>February 25, 2004</u>				 Jordan A. Sigale, (Registration No. 79,028)			

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
Dated: <u>February 25, 2004</u>	 Steven M. Lubezky

COPY



MAY 24 2004

Charles G. Williamson

Group Art Unit: 2182

Examiner: Tammara R. Peyton

I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 25, 2004.

Steven M. Lubezny

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MAY 27 2004

Technology Center 2100

RESPONSE TO AUGUST 25, 2003 OFFICE ACTION

This Amendment is submitted in response to the Office Action mailed August 25, 2003.

Applicant respectfully requests amendment of the patent application, and reconsideration and allowance of the pending claims.

IN THE CLAIMS

1. (Currently Amended) A method for remote updating of intelligent household appliances, comprising:
 - selecting a plurality of recipe programs associated with an intelligent appliance;
 - storing the plurality of recipe programs in a user profile;
 - downloading at least one of the plurality of recipe programs to the intelligent appliance;
 - receiving a message from the intelligent appliance requesting a new recipe program, the message being sent from the intelligent appliance without user intervention; and
 - upon finding the new recipe program in a database, transmitting the new recipe to the intelligent appliance;~~;~~and
 - ~~obtaining the new recipe program when the new recipe program is not in the database.~~
2. (Previously Presented) The method of claim 1, further comprising:
 - identifying a user profile associated with the intelligent appliance; and
 - formatting a message containing the plurality of recipe programs in the user profile.
3. (Original) The method of claim 1, further comprising:
 - identifying the possible recipe programs that are capable of being associated with the intelligent appliance.
4. (Currently Amended) The method of claim 1, further comprising:
 - generating a list of recipe programs from ~~with~~ which the plurality of recipe programs associated with an intelligent appliance are selected.
5. (Original) The method of claim 4, wherein accessing further includes starting a web browser to access the user profile over the internet.

6. (Original) The method of claim 1, wherein downloading further includes downloading the plurality of recipes to the intelligent appliance selected from the group consisting of a breadmachine, an intelligent oven and a coffeemaker.

7. (Currently Amended) A data structure stored in memory, comprising:
a user identifier element that identifies a record in a database; and
an appliance identifier element linked to the user identifier element that identifies an intelligent appliance;
a plurality of recipe program elements linked to the appliance identifier element; and
a unique product code element associated with at least one of the plurality of recipe program elements.

8. (Cancelled)

9. (Currently Amended) The data structure of claim 8, ~~further comprising:~~ wherein the unique product code element is a UPC code element ~~associated with each of the plurality of recipe program elements.~~

10. (Currently Amended) A system for remote updating of intelligent household appliances, comprising:

means for selecting a plurality of recipe programs associated with an intelligent appliance;
means for storing the plurality of recipe programs in a user profile;
means for downloading the plurality of recipe programs to the intelligent appliance;
means for receiving a message from the intelligent appliance requesting a new recipe program, the message being sent from the intelligent appliance without user intervention; and;

upon finding the new recipe program in a database, means for transmitting the new recipe to the intelligent appliance; ~~and~~

~~means for obtaining the new recipe program when the new recipe program is not in the database.~~

11. (Currently Amended). The ~~method~~ system of claim 10, further comprising:
means for identifying a user profile associated with the intelligent appliance; and
means for formatting a message containing the plurality of recipe programs in the user profile.

12. (Original) The system of claim 10, further comprising:
means for identifying the possible recipe programs that are capable of being associated with the intelligent appliance.

13. (Original) The system of claim 10, further comprising:
means for generating a list of recipe programs from which the plurality of recipe programs associated with an intelligent appliance are selected.

14. (Original) The system of claim 13, wherein means for accessing further includes means for starting a web browser to access the user profile over the internet.

15. (Currently Amended) The ~~method~~ system of claim 10, wherein means for downloading further includes means for downloading the plurality of recipes to the intelligent appliance selected from the group consisting of a breadmachine, an intelligent oven and a coffeemaker.

16. (New) The method of Claim 1 further including obtaining the new recipe program when the new recipe program is not in the database.

17. (New) The system of Claim 10 further including means for obtaining the new recipe program when the new recipe program is not in the database.

18. (New) A method for remote updating of intelligent household appliances, comprising:

receiving, in an intelligent appliance, a code input by a code input device;

determining whether the code input by the code input device is associated with any one of a plurality of recipe programs stored in a memory in the intelligent appliance;

transmitting a request for a recipe program if the input code from the code input device is not associated with any one of the plurality of recipe programs; and

receiving, at the intelligent appliance, a new recipe program associated with the code input by the code input device.

19. (New) A method for remote updating of intelligent household appliances, comprising:

storing a plurality of recipe programs in a user profile;

downloading at least one of the plurality of recipe programs to an intelligent appliance;

receiving a message from the intelligent appliance requesting a new recipe program;

if the new recipe program is found in a database, transmitting the new recipe to the intelligent appliance; and

if the new recipe program is not found in a database, updating the user profile with a continuing request for the new recipe program.

20. (New) A method for remote updating of intelligent household appliances, comprising:

- storing a plurality of recipe programs in a user profile;
- downloading at least one of the plurality of recipe programs to an intelligent appliance;

and

- after downloading at least one of the plurality of recipe programs to the intelligent appliance, transmitting, without user intervention, a new recipe program to the intelligent appliance.

REMARKS

Claims 1-15 are pending in the above-identified application. Claims 1-15 were rejected. With this Amendment, claims 1, 4, 7, 9, 11 and 15 were amended, claims 16-20 were added and claim 8 was cancelled. Accordingly, claims 1-7 and 9-20 are at issue in the above-identified application.

Claims 1-6 and 9-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Abrams* (U.S. Patent No. 6,587,739). Claims 7 and 8 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Abrams et al.* (U.S. Patent No. 6,587,739) and *Ali* (U.S. Patent No. 6,549,818). Applicant respectfully traverses these rejections.

First, Applicant submits that *Abrams* does not disclose or even suggest "receiving a message from the intelligent appliance requesting a new recipe program, where the message is sent from the intelligent appliance without user intervention." *Abrams* discloses a console that can be used to control a number of kitchen appliances. *Abrams* then teaches that the console (when in the form of an alarm clock) can download, without user intervention, the "correct time

and software updates." (Col. 13, lines 61-64). However, with regards to recipes, *Abrams* specifically teaches that the console (when in the form of a kitchen console) is used to manually browse the internet for new recipes. (Col. 20, lines 44-54) Therefore, *Abrams* actually teaches away from the present invention by requiring that the recipes be obtained manually as opposed to other information such as the time and software updates that can be obtained automatically.

By contrast, amended Claims 1 and 10 require, among other limitations, that the message requesting a new recipe program be "sent from the intelligent appliance without user intervention." This provides numerous advantages over the cited art including, but not limited to, the ability to provide automatic updates of the plurality of recipes. As the cited reference does not disclose receiving recipes "without user intervention", Applicant submits that independent Claims 1 and 10, as well as dependent Claims 2-6 and 11-15 are in condition for allowance.

Second, Applicant submits that neither *Abrams* nor *Ali* disclose or fairly teach a data structure having a unique product code element associated with at least one of the plurality of recipe program elements, as required by amended Claim 7. As the Examiner notes in the Office Action (in reference to Claim 9), *Abrams* does not teach a unique product code (such as UPC code element), but instead only discloses the use of a house code. However, the examiner fails to explain how the use of a house code would make obvious the use of a product code. The house code is simply used to designate all of the components that are to be used within one house, or with one specific controller. A unique product code, on the other hand, is used to associate a recipe program with a specific product. Therefore, the disclosure of a house code would in no way disclose or even suggest the use of a unique product code. Accordingly, Applicant submits that Claim 7, as well as dependent Claim 9 are in condition for allowance.

Additionally, Applicant has also added new independent Claims 18, 19, and 20. Claim 18 requires, among other limitations, "determining whether the code input by the code input device is associated with any one of a plurality of recipe programs stored in a memory in the intelligent appliance; and transmitting a request for a recipe program if the input code from the code input device is not associated with any one of the plurality of recipe programs." Claim 19 requires, among other limitations, that "if the new recipe program is not found in a database, updating the user profile with a continuing request for the new recipe program." Claim 20 requires, among other limitations, "after downloading at least one of the plurality of recipe programs to the intelligent appliance, transmitting, without user intervention, a new recipe program to the intelligent appliance." As none of the cited references disclose these limitations, Applicant submits that independent Claims 18 and 19, as well as dependent Claim 20, are also in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance. Early notification of such effect is earnestly solicited. Should the Examiner have any remaining issue, Applicant kindly requests that the Examiner contact the undersigned.

Respectfully submitted,

COPY

Dated: February 25, 2004

By: Jordan A. Sigale

Jordan A. Sigale

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